

KENT COUNTY BOARD OF COMMISSIONERS

Thursday, March 24, 2016

Administration Building - Room 310

Meeting called to order at 8:39 a.m. by Chair James R. Saalfeld.

Present: Commissioners Antor, Bolter, Brieve, Bulkowski, Chivis, Hennessy, Jones, Kallman, Koorndyk, Mast, Morgan, Ponstein, Shroll, Stek, Talen, Vander Molen, Vonk, Voorhees, Chair Saalfeld - 19.

Absent: None.

Invocation: Commissioner Kallman introduced Pastor Phil Smith of Eternal Word Church, who gave the invocation. The Pledge of Allegiance followed.

SPECIAL ORDER OF BUSINESS

Quality Service Employee Award (First Quarter)

Chair Saalfeld acknowledged Joseph (Joe) S. Taylor, Sheriff Department employee, who was selected as the Quality Service Employee of the First Quarter. Darius Quinn, Human Resources Manager – Employee Relations/Diversity, read a letter commending Joe for his excellent service.

Treasurer's Annual Investment Report

Treasurer Parrish reviewed the Annual Investment Report. (A copy of the report is on file in the Office of the County Clerk.)

PUBLIC COMMENT

Eric Szczepaniak, 3726 St. Moritz Way NW, Alpine Township - He would like local and state legislators to pass resolutions asking for an amendment to the U.S. Constitution limiting campaign contributions and spending. Sixteen states have passed such a resolution.

CONSENT AGENDA

- a) Approval of the Minutes of March 10, 2016, Meeting
- b) March 15, 2016, Finance Committee Meeting Minutes
(Reports of Claims and Allowances)
- c) Receive and File: Cemetery Trust Fund &
Unknown Legatee Account Reports / Treasurer's Office
- d) Resolutions:

3-24-16-17 – ASSIGNMENT OF VARIOUS RENOVATION PROJECTS TO THE KENT COUNTY BUILDING
AUTHORITY / FACILITIES MANAGEMENT

WHEREAS, Kent County determined, pursuant to a Space Needs Study and through conducting a needs assessment of other existing facilities, that it is necessary (a) to replace and/or renovate portions of the Kent County Juvenile Detention Center building, (b) to replace and/or renovate the kitchen at the Kent County Correctional Facility, and (c) to build out two new courtrooms and related judicial offices at the Kent County Courthouse; and

WHEREAS, on February 25, 2016, the Board of Commissioners approved financing for these projects, which included the issuance of Capital Improvement Bonds, Series 2016, for the Juvenile Detention and Correctional Facility projects, and Capital Improvement Program (CIP) dollars for the Courthouse improvements; and

WHEREAS, assignment of these projects to the Building Authority will allow the Board of Commissioners to utilize the efficiencies of the Authority process to manage the multiple contracts involved with these projects; and

WHEREAS, this item has been reviewed and recommended by the Finance and Physical Resources Committee for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby assigns project management responsibilities for the Juvenile Detention Center renovation, Correctional Facility kitchen replacement and the Courthouse build out to the Kent County Building Authority.

3-24-16-18 – AMENDMENT OF NON-MOTORIZED TRAIL LICENSE AGREEMENT WITH THE CITY OF
WALKER / PARKS

WHEREAS, in September 2011, the Board of Commissioners approved a License Agreement to permit the County to install a portion of the Fred Meijer Millennium Park Non-Motorized Trail and a pedestrian bridge on and over a segment of land within the City of Walker owned right-of-way for Maynard Avenue; and

WHEREAS, the trail and pedestrian bridge permitted by the License Agreement connect existing non-motorized trails within Millennium Park; and

WHEREAS, in order to optimally design certain public improvements on County-owned property adjacent to the Maynard Avenue right-of-way, it is necessary to install a sanitary sewer line and a natural gas line beneath the Maynard Avenue right-of-way owned by the City of Walker; and

WHEREAS, the City of Walker supports the project as proposed, and is willing to amend the existing License Agreement to grant to the County a license to install, operate and maintain the sanitary sewer line and a natural gas line beneath the Maynard Avenue right-of-way; and

WHEREAS, the term of the License Agreement is for 20 years, with 10-year automatic renewals unless terminated sooner. Pursuant to the terms of the agreement, the County will pay the costs associated with the construction and maintenance of the sanitary sewer line and a natural gas line beneath the Maynard Avenue right-of-way; and

WHEREAS, Corporate Counsel has reviewed and approved the amended License Agreement as to form; and

WHEREAS, this item has been reviewed and recommended by the Finance and Physical Resources Committee for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approve to amend the Non-Motorized Trail License Agreement with the City of Walker to permit the installation of a sanitary sewer line and a natural gas line beneath Maynard Avenue.

3-24-16-19 – AUTHORIZE COLLECTION OF CERTAIN WINTER 2016 TAXES IN THE SUMMER OF 2016
BY THE CITY OF GRAND RAPIDS / TREASURER

WHEREAS, the State of Michigan has approved Public Acts 184 and 185 of 2012 providing local tax collecting units the option of accelerating certain millages from the winter tax collection levy to the summer tax collection levy if the tax and other amounts billed total \$100 or less; and

WHEREAS, the City of Grand Rapids levies 1.3393 mills as part of the winter property tax collection and will have over 60,000 tax bills that could be collected as part of the 2016 summer tax levy; and

WHEREAS, the Grand Rapids City Commission, under authority of the referenced State law, has authorized the accelerated collection in July of 2016 of the property tax amounts that will total \$100 or less per individual tax bill and that would otherwise be collected as part of the December 2016 tax levy; and

WHEREAS, the accelerated tax collection will save the City of Grand Rapids the cost and expenses associated with preparing, mailing, and collecting certain 2016 winter tax bills; and

WHEREAS, the City of Grand Rapids has requested that pursuant to state law that the County Board of Commissioners approve a resolution authorizing the collection in July of 2016 of the property tax amounts that will total \$100 or less per individual tax bill and that would otherwise be collected as part of the December 2016 tax levy; and

WHEREAS, this request is for one year, as state law provides that all requests be made annually; and

WHEREAS, this item has been reviewed and recommended by the Finance and Physical Resources Committee for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that pursuant to MCL 211.44a(2)(b), the Kent County Board of Commissioners hereby approves a resolution authorizing the City of Grand Rapids to collect 2016 winter taxes that will total \$100 or less per individual tax bill and that otherwise would be collected as part of the 2016 winter tax levy.

(Commissioner Mast requested that Resolution 3-24-16-17 be removed from the Consent Agenda.)

Motion by Commissioner Kallman, seconded by Commissioner Vander Molen, that the Consent Agenda items (except Resolution 3-24-16-17) be approved.

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Motion carried:

Yeas: Voorhees, Vonk, Vander Molen, Talen, Stek, Shroll, Ponstein, Morgan, Mast, Koorndyk, Kallman, Jones, Hennessy, Chivis, Bulkowski, Brieve, Bolter, Antor, Chair Saalfeld – 19.

Nays: 0.

3-24-16-17 – ASSIGNMENT OF VARIOUS RENOVATION PROJECTS TO THE KENT COUNTY BUILDING AUTHORITY / FACILITIES MANAGEMENT

WHEREAS, Kent County determined, pursuant to a Space Needs Study and through conducting a needs assessment of other existing facilities, that it is necessary (a) to replace and/or renovate portions of the Kent County Juvenile Detention Center building, (b) to replace and/or renovate the kitchen at the Kent County Correctional Facility, and (c) to build out two new courtrooms and related judicial offices at the Kent County Courthouse; and

WHEREAS, on February 25, 2016, the Board of Commissioners approved financing for these projects, which included the issuance of Capital Improvement Bonds, Series 2016, for the Juvenile Detention and Correctional Facility projects, and Capital Improvement Program (CIP) dollars for the Courthouse improvements; and

WHEREAS, assignment of these projects to the Building Authority will allow the Board of Commissioners to utilize the efficiencies of the Authority process to manage the multiple contracts involved with these projects; and

WHEREAS, this item has been reviewed and recommended by the Finance and Physical Resources Committee for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby assigns project management responsibilities for the Juvenile Detention Center renovation, Correctional Facility kitchen replacement and the Courthouse build out to the Kent County Building Authority.

Motion by Commissioner Kallman, seconded by Commissioner Mast, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk, Vander Molen, Talen, Stek, Shroll, Ponstein, Morgan, Mast, Koorndyk, Kallman, Jones, Hennessy, Chivis, Bulkowski, Brieve, Bolter, Antor, Chair Saalfeld – 19.

Nays: 0.

RESOLUTIONS

3-24-16-20 – HOME REPAIR SERVICES CONTRACT AMENDMENT / COMMUNITY DEVELOPMENT

WHEREAS, Kent County currently contracts with Home Repair Services (HRS) utilizing Community Development Block Grant (CDBG) funds to provide home repairs up to \$3,500 for eligible clients outside the cities of Grand Rapids and Wyoming; and

WHEREAS, the Kent County CDBG program currently has over \$500,000 in home repair funds available from previous fiscal years that can be utilized in the community; and

WHEREAS, the amended contract allows HRS to expend up to \$10,000 per unit for eligible clients from March 1, 2016 through June 30, 2016, and increases its contract amount by \$150,000; and

WHEREAS, as part of an ongoing program review, the Community Development Department will be assessing this program change to determine if it will be made permanent in future years; and

WHEREAS, the Amendment to the Original Contract has been reviewed and approved as to form by Assistant Corporate Counsel; and

WHEREAS, this item has been reviewed and recommended by the Finance and Physical Resources Committee for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves an amended contract between the Kent County Community Development Department and Home Repair Services, and authorizes the Board Chair or his designee to sign the contract.

Motion by Commissioner Brieve, seconded by Commissioner Shroll, that the resolution be adopted.

Motion carried by voice vote.

3-24-16-21 – MICHIGAN NATURAL RESOURCES TRUST FUND GRANT SUBMISSION FOR CHIEF HAZY CLOUD PARK / PARKS

WHEREAS, Chief Hazy Cloud Park in Ada Township currently encompasses 122.6 acres with 0.9 miles of frontage on the Grand River. The park is in an area where development pressures are strong and population is growing; and

WHEREAS, the Parks Department has been in discussions for more than a decade to acquire approximately 145 acres of land immediately northwest of the park including 1.3 miles of undeveloped river frontage; and

WHEREAS, this land is now available to the County for purchase, at an estimated cost of \$3,075,000. Acquiring this land is consistent with several objectives set forth in the department's Parks, Trails and Natural Areas Master Plan; and

WHEREAS, the Parks Department seeks to submit a grant request to the Department of Natural Resources' (DNR) Michigan Natural Resources Trust Fund for \$2,152,500 in grant funds. The remaining estimated \$922,500 will be a local match from various sources; and

WHEREAS, the final purchase price will be determined using the DNR appraisal process, as required by the grant. An Action Request authorizing the purchase, and identifying and appropriating the final match amount, and sources, will be brought back to the Board of Commissioners if the grant is approved; and

WHEREAS, the County will be notified in December 2016 if the application is successful; if awarded, funds would be need to be expended within two years; and

WHEREAS, this item has been reviewed and recommended by the Finance and Physical Resources Committee for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby approves the submission of a grant application to the Michigan Natural Resources Trust Fund to

acquire approximately 145 acres of property to expand Chief Hazy Cloud Park, and commits to funding the required local match, if awarded.

Motion by Commissioner Jones, seconded by Commissioner Shroll, that the resolution be adopted.

Motion carried by voice vote.

3-24-16-22 – ADD EMERGENCY COMMUNICATIONS POSITIONS TO PROVIDE EMERGENCY
DISPATCH SERVICE FOR THE CITY OF WYOMING / SHERIFF

WHEREAS, the City of Wyoming currently contracts with the City of Grand Rapids for provision of law enforcement and fire dispatch services. Effective July 1, 2016, the City of Wyoming desires to discontinue its contract with the City of Grand Rapids and instead enter into an agreement whereby Kent County will provide these services; and

WHEREAS, in order to provide dispatch services for the City of Wyoming, the Sheriff Department is requesting the addition of 12 new full-time positions as well as the conversion of 3 part-time positions to a single full-time position; and

WHEREAS, the County applies a consistent formula to allocate law enforcement and fire dispatch costs to all participating localities for which the County provides these dispatch services. The Sheriff Department's 2016 budget will be amended to add the cost of additional staff to provide dispatch service to Wyoming (\$449,771) and to add the City of Wyoming as a payer into the cost allocation formula; and

WHEREAS, the Sheriff Department's net expenses will increase by \$51,365 in 2016 because the County will subsidize a portion of the cost of providing the City of Wyoming with fire dispatch services as part of a three-year phase-in for fire dispatch expenses for all participants in the cost allocation plan; and

WHEREAS, approval of this request for additional staff is contingent upon approval of the related service agreement which has been recommended for approval by the Finance and Physical Resources Committee at its March 1, 2016 meeting; and

WHEREAS, this item has been reviewed and recommended by the Finance and Physical Resources Committee and the Legislative and Human Resources Committee for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby add the following positions to provide emergency dispatch service for the City of Wyoming: one Emergency Communications Supervisor II, one Emergency Communications Supervisor I, seven Emergency Communications Operator II, and three Emergency Communications Operator I; and to convert three part-time Emergency Communications Operator I positions to one full-time Emergency Communications Operator I position; and

BE IT FURTHER RESOLVED that the Board of Commissioners hereby appropriate \$398,406 from local unit reimbursements and transfer \$51,365 from the Sheriff 2016 Road Patrol budget to the Sheriff 2016 E-911 budget in the General Fund; and

BE IT FURTHER RESOLVED that in the event that funding is eliminated or decreased, the position(s) will be eliminated unless continuation funding is approved pursuant to Fiscal Policy

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on grants, contracts and donations.

Motion by Commissioner Jones, seconded by Commissioner Shroll, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk, Vander Molen, Talen, Stek, Shroll, Ponstein, Morgan, Mast, Koorndyk, Kallman, Jones, Hennessy, Chivis, Bulkowski, Brieve, Bolter, Antor, Chair Saalfeld – 19.

Nays: 0.

3-24-16-23 – DELINQUENT 2015 REAL PROPERTY TAXES / AUTHORIZE ISSUANCE OF "GENERAL OBLIGATION LIMITED TAX NOTES, SERIES 2016"/ TREASURER

WHEREAS, the Board of Commissioners of the County of Kent (the "County") has heretofore adopted a resolution establishing the Kent County Delinquent Tax Revolving Fund (the "Fund") pursuant to Section 87b of Act No. 206, Public Acts of Michigan, 1893, as amended ("Act 206"); and

WHEREAS, the purpose of the Fund is to allow the Kent County Treasurer (the "County Treasurer") to pay from the Fund any or all delinquent real property taxes that are due and payable to the County, the State of Michigan and any school district, intermediate school district, community college district, city, township, special assessment district or other political unit for which delinquent tax payments are due; and

WHEREAS, it is hereby determined to be necessary for the County to borrow money and issue its notes for the purposes authorized by Act 206, particularly Sections 87c, 87d and 87g thereof; and

WHEREAS, it is estimated that the total amount of unpaid 2015 delinquent real property taxes (the "delinquent taxes") outstanding on March 1, 2016, will be approximately \$25,000,000, exclusive of interest, fees and penalties; and

WHEREAS, this item has been reviewed and recommended by the Finance and Physical Resources Committee for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Kent, State of Michigan, as follows:

Authorization of Borrowing

1. Pursuant to and in accordance with the provisions of Act 206, Public Acts of Michigan, 1893, as amended, and especially Sections 87c, 87d and 87g thereof, the County shall borrow the sum of not to exceed Twenty Five Million Dollars (\$25,000,000) and issue its notes (the "notes") therefor for the purpose of continuing the Fund for the 2015 tax year. The exact amount to be borrowed shall not exceed the amount of delinquent taxes outstanding on March 1, 2016, exclusive of interest, fees and penalties. The County Treasurer shall designate the exact amount to be borrowed after the amount of the 2015 delinquent taxes outstanding on March 1, 2016, or the portion of the 2015 delinquent taxes against which the County shall borrow, has been determined.

Note Details

2. Pursuant to provisions of applicable law and an order of the County Treasurer, which order is hereby authorized, the notes may be issued in one or more series; shall be known as "General Obligation Limited Tax Notes, Series 2016" with a letter designation added thereto if the notes are issued in more than one series; shall be in fully registered form in denominations not exceeding the aggregate principal amounts for each maturity of the notes; shall be sold for not less than 98% of the face amount of the notes; shall bear interest at fixed or variable rates not to exceed the maximum interest rate permitted by applicable law; shall be dated, payable as to interest and in principal amounts, be subject to redemption in whole or in part prior to maturity, including any redemption premiums, and be subject to renewal, at such times and in such amounts, all as shall be designated in the order of the County Treasurer. Notes or portions of notes called for redemption shall not bear interest after the redemption date, provided funds are on hand with the note registrar and paying agent to redeem the same. Notice of redemption shall be given in the manner prescribed by the County Treasurer, including the number of days' notice of redemption and whether such notice shall be written or published, or both. If any notes of any series are to bear interest at a variable rate or rates, the County Treasurer is hereby further authorized to establish by order, and in accordance with law, a means by which interest on such notes may be set, reset or calculated prior to maturity, provided that such rate or rates shall at no time be in excess of the maximum interest rate permitted by applicable law. Such rates may be established by reference to the minimum rate that would be necessary to sell the notes at par; by a formula that is determined with respect to an index or indices of municipal obligations, reported prices or yields on obligations of the United States or the prime rate or rates of a bank or banks selected by the County Treasurer; or by any other method selected by the County Treasurer.

Payment of Principal and Interest

3. The principal of and interest on the notes shall be payable in lawful money of the United States from such funds and accounts as provided herein. Principal shall be payable upon presentation and surrender of the notes to the note registrar and paying agent when and as the same shall become due, whether at maturity or earlier redemption. Interest shall be paid to the owner shown as the registered owner on the registration books at the close of business on such date prior to the date such interest payment is due, as is provided in the order of the County Treasurer. Interest on the notes shall be paid when due by check or draft drawn upon and mailed by the note registrar and paying agent to the registered owner at the registered address, or by such other method as determined by the County Treasurer.

Note Registrar and Paying Agent

4. The County Treasurer shall designate, and may enter into an agreement with, a note registrar and paying agent for each series of notes that shall be the County Treasurer or a bank or trust company that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The County Treasurer may from time to time designate a similarly qualified successor note registrar and paying agent. Alternatively, the County Treasurer may serve as note registrar and paying agent if so designated by written order of the County Treasurer.

Disposition of Note Proceeds

5. The proceeds of the sale of the notes shall be deposited into a separate account in the Fund and shall be used to continue the Fund. The County Treasurer shall pay therefrom and from unpledged funds in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, the full amount of the delinquent tax roll against which the County has borrowed, delivered as uncollected by any tax collector in the County and that is outstanding and unpaid on or after March 1, 2016, in accordance with the provisions of Act 206. If the notes are sold at a premium, the County Treasurer shall determine what portion of the premium, if any, shall be deposited in the 2016 Collection Account established in Section 6 hereof.

2016 Collection Account

6. There is hereby established as part of the Fund an account (hereby designated the "2016 Collection Account") into which account the County Treasurer shall place delinquent taxes against which the County has borrowed, and interest thereon, collected on and after March 1, 2016, or such later date as determined by the County Treasurer, all County property tax administration fees on such delinquent taxes, after expenses of issuance of the notes have been paid, any premium as determined pursuant to Section 5 hereof, and any amounts received by the County Treasurer from the County, the State of Michigan and any taxing unit within the County, because of the uncollectibility of such delinquent taxes. The foregoing are hereby established as funds pledged to note repayment. The County Treasurer shall designate the delinquent taxes against which the County shall borrow for each series of notes.

Note Reserve Fund

7. There is hereby authorized to be established by the County Treasurer a note reserve fund for the notes (the "2016 Note Reserve Fund") if the County Treasurer deems it to be reasonably required as a reserve and advisable in selling the notes at public or private sale. The County Treasurer is authorized to deposit in the 2016 Note Reserve Fund from proceeds of the sale of the notes, unpledged moneys in the Fund, uncommitted funds in the County General Fund and/or any other legally available funds, an amount not exceeding ten percent (10%) of the face amount of the notes.

Security for Payment of Notes

8. All of the moneys in the 2016 Collection Account and the 2016 Note Reserve Fund, if established, and all interest earned thereon, relating to a series of notes are hereby pledged equally and ratably as to such series to the payment of the principal of and interest on the notes and shall be used solely for that purpose until such principal and interest have been paid in full. When moneys in the 2016 Note Reserve Fund, if established, are sufficient to pay the outstanding principal of the notes and the interest accrued thereon, such moneys may be used to retire the notes. If more than one series of notes is issued, the County Treasurer by order shall establish the priority of the funds pledged for payment of each such series. In such case the County Treasurer may establish sub-accounts in the various funds and accounts established pursuant to the terms of this resolution as may be necessary or appropriate.

Additional Security

9. Each series of notes, in addition, shall be a general obligation of the County, secured by its full faith and credit, which shall include the County's limited tax obligation, within applicable constitutional and statutory limits, and its general funds. The County budget shall provide that if the pledged delinquent taxes and any other pledged amounts are not collected in sufficient amounts to meet the payments of principal and interest due on each series of notes, the County, before paying any other budgeted amounts, will promptly advance from its general funds sufficient moneys to pay that principal and interest. The County shall not have the power to impose taxes for payment of the notes in excess of constitutional or statutory limitations. If moneys in the 2016 Collection Account and the 2016 Note Reserve Fund, if established, are not sufficient to pay the principal of and interest on the notes, when due, the County shall pay the same in accordance with this Section, and may thereafter reimburse itself from the delinquent taxes collected.

Release of Pledge of 2016 Collection Account

10. Upon the investment of moneys in the 2016 Collection Account in direct non-callable obligations of the United States of America in amounts and with maturities that are sufficient to pay in full the principal of and interest on the notes when due, any moneys in the 2016 Collection Account thereafter remaining may be released from such pledge created pursuant to Section 8 hereof and may be used to pay any or all delinquent real property taxes that are due the County, the State of Michigan and any school district, intermediate school district, community college district, city, township, special assessment district or other political unit to which delinquent tax payments are due for any year or for any other purpose permitted by law.

Sale of Notes

11. The County Treasurer is hereby authorized to offer the notes at public or private sale as determined by order of the County Treasurer and to do all things necessary to effectuate the sale, delivery, transfer and exchange of the notes in accordance with the provisions of this resolution. Notes of one series may be offered for sale and sold separately from notes of another series. If the notes are to be sold publicly, sealed proposals for the purchase of the notes shall be received by the County Treasurer for such public sale to be held at such time as shall be determined by the County Treasurer and notice thereof shall be published in accordance with law once in *The Bond Buyer*, which is hereby designated as being a publication printed in the English language and circulated in this State that carries as a part of its regular service, notices of sale of municipal bonds. Such notice shall be in the form prescribed by the County Treasurer.

The County Treasurer is hereby authorized to cause the preparation of an official statement for the notes for the purpose of enabling compliance with SEC Rule 15c2-12 (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the notes, the County will provide copies of a final official statement (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the successful bidder or bidders to enable such successful bidder or bidders to comply with paragraphs (b)(3) and (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board. The County

Treasurer is authorized to enter into such agreements as may be required to enable the successful bidder or bidders to comply with the Rule.

Continuing Disclosure

12. The County Treasurer is hereby authorized to execute and deliver in the name and on behalf of the County (i) a certificate of the County to comply with the requirements for a continuing disclosure undertaking of the County pursuant to paragraph (b)(5) or (d)(2) of the Rule, as applicable, and (ii) amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

Execution and Delivery of Notes

13. The County Treasurer is hereby authorized and directed to execute the notes for the County by manual or facsimile signature and the County Treasurer shall cause the County seal or a facsimile thereof to be impressed or imprinted on the notes. Unless the County Treasurer shall specify otherwise in writing, fully registered notes shall be authenticated by the manual signature of the note registrar and paying agent. After the notes have been executed and authenticated, if applicable, for delivery to the original purchaser thereof, the County Treasurer shall deliver the notes to the purchaser or purchasers thereof upon receipt of the purchase price. Additional notes bearing the manual or facsimile signature of the County Treasurer and upon which the seal of the County or a facsimile thereof is impressed or imprinted may be delivered to the note registrar and paying agent for authentication, if applicable, and delivery in connection with the exchange or transfer of fully registered notes. The note registrar and paying agent shall indicate on each note that it authenticates the date of its authentication. The notes shall be delivered with the approving legal opinion of Dickinson Wright PLLC.

Exchange and Transfer of Fully Registered Notes

14. Any fully registered note, upon surrender thereof to the note registrar and paying agent with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney, at the option of the registered owner thereof, may be exchanged for notes of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered note.

Each note shall be transferable only upon the books of the County, which shall be kept for that purpose by the note registrar and paying agent, upon surrender of such note together with a written instrument of transfer satisfactory to the note registrar and paying agent duly executed by the registered owner or his or her duly authorized attorney.

Upon the exchange or transfer of any note, the note registrar and paying agent on behalf of the County shall cancel the surrendered note and shall authenticate, if applicable, and deliver to the transferee a new note or notes of any authorized denomination of the same aggregate

principal amount and maturity date and bearing the same rate of interest as the surrendered note. If, at the time the note registrar and paying agent authenticates, if applicable, and delivers a new note pursuant to this Section, payment of interest on the notes is in default, the note registrar and paying agent shall endorse upon the new note the following: "Payment of interest on this note is in default. The last date to which interest has been paid is [place date]."

The County and the note registrar and paying agent may deem and treat the person in whose name any note shall be registered upon the books of the County as the absolute owner of such note, whether such note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such note and for all other purposes, and all payments made to any such registered owner, or upon his or her order, in accordance with the provisions of Section 3 hereof shall be valid and effectual to satisfy and discharge the liability upon such note to the extent of the sum or sums so paid, and neither the County nor the note registrar and paying agent shall be affected by any notice to the contrary. The County agrees to indemnify and save the note registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of notes, the County or the note registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The note registrar and paying agent shall not be required to transfer or exchange notes or portions of notes that have been selected for redemption.

Book Entry System

15. At the option of the County Treasurer and notwithstanding any provisions of this resolution to the contrary, the County Treasurer is hereby authorized to enter into an agreement with a custodian or trustee for the purpose of establishing a "book entry" system for registration of notes to be fully registered. Pursuant to the provisions of such agreement, the notes may be registered in the name of the custodian or trustee for the benefit of other persons or entities. Such agreement shall provide for the keeping of accurate records and prompt transfer of funds by the custodian or trustee on behalf of such persons or entities. The agreement may provide for the issuance by the custodian or trustee of certificates evidencing beneficial ownership of the notes by such persons or entities. For the purpose of payment of the principal of and interest on the notes, the County may deem payment of such principal and interest, whether overdue or not, to the custodian or trustee as payment to the absolute owner of such note. Pursuant to provisions of such agreement, the book entry system for the notes may be used for registration of all or a portion of the notes and such system may be discontinued at any time by the County. The note registrar and paying agent for the notes may act as custodian or trustee for such purposes.

Issuance Expenses

16. Expenses incurred in connection with the issuance of the notes, including without limitation any premiums for any insurance obtained for the notes, note rating agency fees, travel and printing expenses, fees for agreements for lines of credit, letters of credit, commitments to purchase the notes, remarketing agreements, reimbursement agreements, purchase or sales agreements or commitments, or agreements to provide security to assure timely payment of the notes, fees for the setting of interest rates on the notes and bond counsel, financial advisor, paying agent and registrar fees, all of which are hereby authorized, shall be paid by the County Treasurer from County property tax administration fees on the delinquent taxes, from any other moneys in the Fund not pledged to the repayment of notes and general funds of the County that are hereby authorized to be expended for that purpose.

Replacement of Notes

17. Upon receipt by the County Treasurer of satisfactory evidence that any outstanding note has been mutilated, destroyed, lost or stolen, and of security or indemnity complying with applicable law and satisfactory to the County Treasurer, the County Treasurer may execute or authorize the imprinting of the County Treasurer's facsimile signature thereon and thereupon, and if applicable, a note registrar or paying agent shall authenticate and the County shall deliver a new note of like tenor as the note mutilated, destroyed, lost or stolen. Such new note shall be issued and delivered in exchange and substitution for, and upon surrender and cancellation of, the mutilated note or in lieu of and in substitution for the note so destroyed, lost or stolen in compliance with applicable law. For the replacement of authenticated notes, the note registrar and paying agent shall, for each new note authenticated and delivered as provided above, require the payment of expenses, including counsel fees, which may be incurred by the note registrar and paying agent and the County in the premises. Any note issued under the provisions of this Section in lieu of any note alleged to be destroyed, lost or stolen shall be on an equal basis with the note in substitution for which such note was issued.

Chargebacks

18. For any principal payment date of the notes on or after January 1, 2019, the delinquent taxes on property foreclosed and sold pursuant to the provisions of Act 206 and against which the County has borrowed shall, if necessary to ensure full and timely payment of principal of and interest on the notes when due, be charged back to the taxing jurisdictions in such manner as determined by the County Treasurer. The proceeds of such chargebacks shall be deposited in the 2016 Collection Account as security for payment of the notes as described in Section 8 hereof. The provisions of this Section shall not limit the authority of the County Treasurer under the laws of the State of Michigan to charge back delinquent taxes under other circumstances or at other times.

Purchase of Notes by County

19. All or any portion of the notes may be purchased or otherwise acquired by the County if the County Treasurer by order deems such purchase or acquisition to be in the best interest of the County. In such case, the County Treasurer is authorized to take such actions to

effectuate the purchase or acquisition, including without limitation entering into an agreement to purchase or repurchase the notes. The purchase or other acquisition of notes by or on behalf of the County does not cancel, extinguish or otherwise affect the notes and the notes shall be treated as outstanding notes for all purposes of this resolution until paid in full.

Creation of Separate Delinquent Tax Revolving Fund

20. If legislation is adopted that amends Act 206 to require the creation of a separate delinquent tax revolving fund for each year's delinquent taxes, there is hereby created such fund for the 2015 delinquent taxes, all in accordance with Act 206 as so amended. The County Treasurer is hereby authorized to take such actions as determined by the County Treasurer to be necessary or desirable in order for the County to fulfill the requirements of Act 206 as so amended.

Issuance of Refunding Notes

21. The County shall refund all or part of the notes authorized hereunder and/or notes previously issued by the County to continue the Fund for prior tax years if and as authorized by order of the County Treasurer through the issuance of refunding notes (the "Refunding Notes") in an amount to be determined by order of the County Treasurer. Proceeds of the Refunding Notes may be used to redeem such notes and to pay issuance expenses of the Refunding Notes as authorized and described in Section 16 hereof. The County Treasurer shall have all the authority with respect to the Refunding Notes as is granted to the County Treasurer with respect to the notes by the other Sections hereof, including the authority to select a note registrar and paying agent, to apply to the Michigan Department of Treasury for approval to issue the Refunding Notes, if necessary, to cause the preparation of an official statement and to do all other things necessary to sell, execute and deliver the Refunding Notes. The Refunding Notes shall contain the provisions, shall be payable as to principal and interest and shall be secured as set forth herein and as further ordered by the County Treasurer. The Refunding Notes may be sold as a separate issue or may be combined in a single issue with other obligations of the County issued pursuant to the provisions of Act 206 as shall be determined by the County Treasurer. The County Treasurer is authorized to prescribe the form of Refunding Note and the form of notice of sale, if any, for the sale of Refunding Notes.

Form of Notes

22. The notes shall be in the form approved by the County Treasurer, which approval shall be evidenced by the County Treasurer's execution thereof.

Motion by Commissioner Voorhees, seconded by Commissioner Morgan, that the resolution be adopted.

Motion carried:

Yeas: Voorhees, Vonk, Vander Molen, Talen, Stek, Shroll, Ponstein, Morgan, Mast, Koorndyk, Kallman, Jones, Hennessy, Chivis, Bulkowski, Brieve, Bolter, Antor, Chair Saalfeld – 19.

Nays: 0.

PUBLIC COMMENT

There was no public comment.

REPORTS

Airport

Commissioner Morgan: Reported that Airport Executive Director Brian Ryks has accepted a position with the Minneapolis-St. Paul International Airport. A search committee and an interim director will be appointed soon. He thanked Mr. Ryks for his service.

MISCELLANEOUS

Delinquent Tax Program

Commissioner Jones: Reiterated that the County's delinquent tax program is important and benefits local governmental entities.

South Christian Girls Basketball Team

Commissioner Brieve: Congratulated the South Christian Girls Basketball Team on being the runner ups for the 2016 State championship.

Tom Czerwinski's Retirement

Commissioner Hennessy: A retirement celebration for Tom Czerwinski (Area Agency on Aging of West Michigan Executive Director) will be held on Monday, March 28, 2:30 – 4:30 p.m., at the Area Agency on Aging. A proclamation will be presented to Mr. Czerwinski.

Service Above Self Award – Rotary Club

Commissioner Bulkowski: The Rotary Club of Grand Rapids will present Dr. Luis Tomatis with the *Service Above Self Award* tonight.

Public Comment

Commissioner Chivis: Commented that it was good to see a young person (Eric Szczepaniak) speak under Public Comment about his concerns with the political process.

Land Bank Review Subcommittee

Chair Saalfeld: Announced the formation of the Kent County Land Bank Review Subcommittee with Commissioners Bolter (Chair), Bulkowski, Kallman, Morgan and Vonk. This subcommittee's charge is: review the Land Bank's accomplishments; current status and operations; determine if the goals and purposes are still valid and relevant; and determine if any changes are warranted.

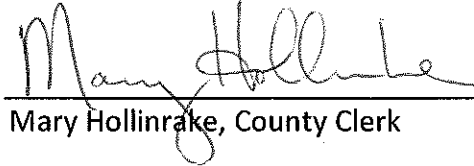
April 14 Board Meeting

Chair Saalfeld: Vice Chair Shroll will Chair the April 14 Board meeting as he will be attending the bond rating meetings in New York.

ADJOURNMENT

At 9:32 a.m., Commissioner Kallman moved to adjourn, subject to the call of the Chair, and to Thursday, April 14, 2016, Room 310, County Administration Building, at 8:30 a.m., for an Official Meeting. Seconded by Commissioner Koorndyk. Motion carried.


James R. Saalfeld, Chair


Mary Hollinrake, County Clerk